

**MINUTES OF THE REGULAR MEETING OF THE COMMON
COUNCIL OF THE CITY OF JASPER, INDIANA
MARCH 22, 2006**

A meeting of the Common Council of the City of Jasper, Indiana, was held on Wednesday, March 22, 2006 in the Council Chambers of City Hall, 610 Main Street, Jasper, Indiana.

Call to Order.

Presiding Officer Mayor William J. Schmitt called the meeting to order at 7:00 p.m.

Roll Call.

Mayor William J. Schmitt	Present
Councilmembers	
John Schroeder	Present
Bradley Seger	Present
Thomas Schmidt	Present
Ambrose 'Butch' Schitter	Present
Renee Kabrick	Present
Randall Buchta	Present
Raymond Howard	Present
City Attorney Sandra Hemmerlein	Present
Clerk-Treasurer Juanita S. Boehm	Present

Clerk-Treasurer Juanita Boehm announced that in order to have a quorum for the meeting, a majority of the members of the legislative body must be in attendance. All seven members were in attendance; therefore, there was a quorum for the meeting.

Approval of the Minutes

The following minutes were distributed to and examined by the Council:

1. February 22, 2006 regular monthly common council meeting.

A **motion** was made by Councilmember Thomas Schmidt and seconded by Councilmember Raymond Howard to approve the minutes as presented. Motion carried 7-0.

Rezoning Proposal/Ordinance No. 2006-6. Mayor Schmitt sought consideration of Michael J. and Patricia H. Hochgesang's proposal to rezone 36.04 acres located south of 3649 W. 150 N from A-1 (Agricultural) to R-R (Rural Residential).

Thereafter, a **motion** was made by Councilmember Ambrose Schitter and seconded by Councilmember Bradley Seger to accept the proposal to rezone 36.04 acres located south of 3649 W. 150 N from A-1 (Agricultural) to R-R (Rural Residential) and adopt the rezoning ordinance for such property. Motion carried 7-0.

Mayor Schmitt stated that the ordinance would be referenced Ordinance No. 2006-6.

Utility Service Board. Utility Service Board Secretary Ken Sendelweck presented a report of the regular monthly meeting held on March 20, 2006. Copies of the minutes are supplied to each council member.

Uniform Conflict of Interest Disclosure Statement. Mayor Schmitt presented a Conflict of Interest Disclosure Statement from Don Weisheit, 3265 Foxridge Drive. Mr. Weisheit was appointed by the Common Council as a member of the Jasper Community Arts Commission. Mr. Weisheit is employed by Herald Printing, Inc., which provides commercially printed products and services to various city departments.

A **motion** was made by Councilmember John Schroeder and seconded by Councilmember Renee Kabrick to accept the Conflict of Interest Disclosure Statement from Don Weisheit. Motion carried 7-0.

College Credit. Patty Scherle of Jasper attended the meeting to fulfill a requirement for a college class.

Ordinance No. 2006-7 AN ORDINANCE AMENDING SECTION 6 (1) OF ORDINANCE NO. 546, ENTITLED “AN ORDINANCE PROVIDING FOR A UNIFORM CODE FOR TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF JASPER, INDIANA—STOP INTERSECTIONS DESIGNATED”

Ordinance No. 2006-7 adds one-way stop intersections at Liberty Street and St. James Avenue and at Country Crossing and Lakeview Drive.

Upon motion by Councilmember Thomas Schmidt, seconded by Councilmember Ambrose Schitter and unanimously approved, it was moved to read the ordinance for one reading only. Thereafter, on motion made by Councilmember Bradley Seger, seconded by Councilmember Randall Buchta and unanimously approved, it was moved to have the ordinance read by title only. The ordinance was so read. Thereafter, upon motion made by Councilmember Ambrose Schitter seconded by Councilmember Renee Kabrick, it was moved to pass and adopt Ordinance No. 2006-7. The measure passed 7-0.

During discussion, Police Chief Richard Gunselman reported that the recommendation was based upon an engineering study performed by the police, street and engineering departments. The Police Chief displayed maps and explained the reasons for the recommendation, which was approved by the Board of Public Works and Safety.

Ordinance No. 2006-8 AN ORDINANCE AMENDING SECTION 4(2) OF ORDINANCE NO. 546, ENTITLED “AN ORDINANCE PROVIDING FOR A UNIFORM CODE FOR TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF JASPER, INDIANA—PARKING PROHIBITED ON CERTAIN DESIGNATED STREETS”.

Ordinance No. 2006-8 prohibits parking on a certain part of West 9th Street near Memorial Drive and on a certain part of West 13th Street near Kundek Street.

Upon motion by Councilmember Renee Kabrick, seconded by Councilmember Thomas Schmidt and unanimously approved, it was moved to read the ordinance for one reading only. Thereafter, on motion made by Councilmember Renee Kabrick, seconded by Councilmember Randall Buchta and unanimously approved, it was moved to have the ordinance read by title only. The ordinance was so read. Thereafter, upon motion made by Councilmember Thomas Schmidt seconded by Councilmember John Schroeder, it was moved to pass and adopt Ordinance No. 2006-8. The measure passed 7-0.

During discussion, Police Chief Richard Gunselman reported that the recommendation was based upon an engineering study performed by the police, street and engineering departments. The Police Chief displayed maps and explained the reasons for the recommendation, which was approved by the Board of Public Works and Safety.

Ordinance No. 2006-9 AN ORDINANCE VACATING RIGHTS-OF-WAY AND EASEMENTS FOR ALLEY (East Highlands Addition).

Ordinance No. 2006-9 vacates rights-of-way and easements. (East Highlands Addition)

Upon motion by Councilmember Raymond Howard, seconded by Councilmember Ambrose Schitter and unanimously approved, it was moved to read the ordinance for one reading only. Thereafter, on motion made by Councilmember Thomas Schmidt, seconded by Councilmember Randall Buchta and unanimously approved, it was moved to have the ordinance read by title only. The ordinance was so read. Thereafter, upon motion made by Councilmember Renee Kabrick, seconded by Councilmember Ambrose Schitter, it was moved to pass and adopt Ordinance No. 2006-9. The measure passed 7-0. During discussion, City Attorney Sandra Hemmerlein commented that this was the subject of a public hearing heard earlier this evening and was a matter of cleaning up the map because of rights-of-way and an easement under the building.

Ordinance No. 2006-10 AN ORDINANCE FIXING A SCHEDULE OF REVISED RATES AND CHARGES COLLECTED BY THE CITY OF JASPER, INDIANA, FROM THE OWNERS OF PROPERTY SERVED BY THE SEWAGE WORKS OF SAID CITY, AND OTHER MATTERS CONNECTED HEREWITH.

Ordinance No. 2006-10 adjusts wastewater rates.

The ordinance was introduced upon motion by Councilmember Renee Kabrick, seconded by Councilmember Ambrose Schitter, and unanimously approved, to read the ordinance by title only on first reading. The ordinance was so read. Thereafter, on motion made by Councilmember Ambrose Schitter and seconded by Councilmember Bradley Seger, Ordinance No. 2006-10 was unanimously approved on first reading.

City attorney Hemmerlein stated that this was a recommendation from the Utility Service Board. She said a definite time for a public hearing had not been set, but would probably be held at 6:45 p.m. on April 19, 2006.

Resolution No. 2006-2 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF JASPER, INDIANA, REGARDING TIME ZONES.

Resolution No. 2006-2 supports the Eastern Time Zone.

Upon motion by Councilmember Bradley Seger, seconded by Councilmember Renee Kabrick, and unanimously approved, it was moved to read the resolution for one reading only. Thereafter, on motion made by Councilmember Ambrose Schitter, seconded by Councilmember Thomas Schmidt and unanimously approved, it was moved to have the resolution read in full. The resolution was so read. Thereafter, upon motion made by Councilmember Bradley Seger, seconded by Councilmember Raymond Howard, and approved 7-0, it was moved to pass and adopt Resolution No. 2006-2.

During discussion, Councilmember Bradley Seger reported that he had been contacted by many businesses, both large and small, and asked to bring this matter forward tonight. He said people are hoping Dubois County would take the lead to return to the Eastern time zone and that the ultimate goal would be for the majority of Indiana's counties to be on one time zone. He said a minimum of 80% of counties would be on Eastern time. Councilmember Ambrose Schitter noted that the State Capital would be on Eastern time and recommended Dubois County stay in step. Councilmember Renee Kabrick was concerned that when Dubois County goes to Central time, it would be segregating itself from much of the state.

Mayor Schmitt thought that people had been complacent about the issue and assumed Dubois County would stay on Eastern time. He said since the decision, additional information had come out and the Dubois County Commissioners have agreed to hold another public meeting to get more input. Mayor Schmitt felt it important to be part of the majority and not the minority. He said local businesses have numerous employees, not just locally, but also in other parts of the world and it's important to listen when our businesses and industries request that we help them compete in this type of economy. Mayor Schmitt stated that if adopted, the resolution would be presented to the Dubois County Commissioners at the public meeting on April 3, 2006.

Resolution No. 2006-3 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF JASPER, INDIANA, REGARDING THE PURCHASE OF REAL ESTATE.

Resolution No. 2006-3 proposes purchasing real estate at 284 E. Sixth Street. (Old National Bank property at 6th and Mill Streets.)

Upon motion by Councilmember Ambrose Schitter, seconded by Councilmember Renee Kabrick, and approved 7-0, it was moved to read the resolution for one reading only. Thereafter, on motion made by Councilmember Ambrose Schitter, seconded by Councilmember Thomas Schmidt and approved 7-0, it was moved to

have the resolution read by title only. The resolution was so read. Thereafter, upon motion made by Councilmember Ambrose Schitter, seconded by Councilmember Thomas Schmidt, and approved 7-0, it was moved to pass and adopt Resolution No. 2006-3.

During discussion, City Attorney Hemmerlein stated that the City was interested in the property and had two appraisals prepared. She said according to Indiana Law, the City cannot pay more than the average of the two appraisals, which was \$153,750.00. Hemmerlein further stated that this resolution gives the Mayor the authority to enter into negotiations with Old National Bank. Mayor Schmitt said the idea for purchasing the property was to create more parking for the downtown area. He said the bank has set the price at \$140,000.00. The bank has an ATM machine on the lot and would like six months to remove the machine. He said the lot would probably be used for rental parking, but no final decision has been made.

Sports Complex. Mayor Schmitt announced that the Grand Opening of the Jasper Youth Sports Park was scheduled for April 8, 2006 at 10 a.m.

Adjournment

There being no further business to come before the board, a **motion** was made by Councilmember Renee Kabrick and seconded by Councilmember Thomas Schmidt to adjourn the meeting. The motion carried 7-0 and the meeting adjourned at 8:01 p.m.

**William J. Schmitt, Mayor
Presiding Officer**

ATTEST:

Juanita S. Boehm, Clerk-Treasurer

Cynthia Kluemper, Recording Secretary